

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

OSCAR SOTO RODRIGUEZ

Debtor(s)

CASE NUMBER: 18-05210 BKT

CHAPTER 13

DEBTOR'S REPLY TO CREDITOR'S MOTION TO DISMISS AT DOCKET 35

TO THE HONORABLE COURT:

Comes now debtor, through the undersigned counsel, and respectfully states and prays as follows:

1. Creditor Desiray Diaz Maldonado has filed a motion to dismiss the instant case based on alleged post-petition non compliance by debtor of his DSO obligations.
2. Debtor has made all of his post-petition DSO payments as they have become due, herein attached are the receipts for the payments due October and November 2018, which are the only ones owed as of this date.
3. Creditor also states that the arrearage in mortgage payments constitute a failure of the debtor to comply with his Domestic Support obligation, however, this is a matter that is yet pending adjudication before the family court in Caguas. As of this date, debtor's only DSO obligation is to pay \$2,409.00 per month to ASUME. The real property belongs only to debtor who has provided for relief from stay as he is not able to pay for the mortgage. Debtor has undergone loss mitigation processes with which he has been unable to comply, and during all of this time creditor has occupied the property which he is no longer able to pay for.
3. Debtor is fully in compliance with his post-petition DSO obligations.

In Re: Oscar Soto Rodríguez

Case No. 18-05210 ESL

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WHEREFORE, debtor respectfully requests that this honorable Court denies the Motion to Dismiss.

RESPECTFULLY SUBMITTED, In San Juan, Puerto Rico, this November 6, 2018.

CERTIFICATE OF SERVICE: I hereby certify that on November 6, 2018 I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to all registered parties.

/s/ Teresa M. Lube Capo

TERESA M. LUBE CAPO, ESQ.

USDC 122205

LUBE & SOTO LAW OFFICES

Attorneys for debtor

1130 AVENIDA F.D. ROOSEVELT

HATO REY, PUERTO RICO 00920-2906

TEL.: San Juan 722-0909 Ponce 841-1704

E-MAIL: lubeysoto@gmail.com

**BANCO POPULAR**

044

Suc. Gurabo

Date: 10/01/2018

Time: 3:47 pm

Teller ID: 17

| Trans. / Sequence | Trans. Description / Account Number | Amount |
|----------------------|--|--------|
|----------------------|--|--------|

| | | |
|-----|---------------------------|------------|
| 495 | Check Cashed XXXXX1548 | \$2,409.00 |
|-----|---------------------------|------------|

ASUME OCR Payment
0562273500023232194
Paid Amount

\$2,409.00

Este recibo es el comprobante de sus transacciones. Consérvelo para reconciliar su estado de cuenta, para alguna reclamación o devoluciones de Especiales Musicales.

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041

Las Catalinas

Date: 11/03/2018 ND Time: 12:03 pm

Teller ID: 23

| Trans. / Sequence | Trans. Description / Account Number | Amount |
|----------------------|--|--------|
|----------------------|--|--------|

ASUME OCR Payment
0562273500023232194
Paid Amount

\$2,409.00

Transacciones procesadas con fecha del próximo día laborable. Este recibo es el comprobante de sus transacciones. Consérvelo para reconciliar su estado de cuenta, para alguna reclamación o devoluciones de Especiales Musicales.

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